

UNITED STATES DISTRICT COURT
for the District of Massachusetts

FILED
IN CLERKS OFFICE
2025 OCT 17 AM 11:13
U.S. DISTRICT COURT
DISTRICT OF MASS.

UNITED STATES OF AMERICA

v.

DOCKET NO. 23cr10186-ADB

Juan Avalo-Guezada

MOTION TO DISMISS APPOINTED ATTORNEY AND TO APPOINT NEW ATTORNEY

NOW COMES the Defendant, Juan Avalo-Guezada, in the above matter, and moves this Honorable Court to dismiss my appointed attorney and to appoint a new attorney to represent my interests.

The reasons that I make this request are:

- ☒ Disagreement on strategy;
- ☐ Failure to obtain a bail appeal;
- ☒ Lack of understanding between me and my attorney;
- ☒ Failure to present my best interests;
- ☐ Other:

Date: October 14th 2025

Respectfully submitted,

Juan Avalo

, Pro Se

26 Long Pond Road
Plymouth, MA 02360

1. Failure to develop a cohesive defense strategy:

A lack of a clear, consistent strategy throughout the case can result in a disjointed or ineffective defense.

2. Failure to challenge withholding of evidence:

There is a significant issue with the prosecution's failure to disclose exculpatory evidence, which was not adequately challenged by my attorney. The ruling in *Brady v. Maryland*, 373 U.S. 83 (1963)², obligates the prosecution to disclose all evidence that is favorable to the defendant and material to guilt or punishment. My attorney failed to file a motion to compel the disclosure of such evidence, thereby compromising my defense.

3. Neglect of the Right to a Speedy trial:

My right to a speedy trial was compromised due to unnecessary delays that were not challenged by my attorney. Under the Sixth Amendment and reinforced by *Barker v. Wingo*, 407 U.S. 514 (1972)³, courts consider factors such as the length of delay, reason for the delay, defendant's assertion of the right, and prejudice to the defendant. These factors were relevant in my case, yet my attorney failed to assert this right, leading to prolonged proceedings.

4. Failure to call out prosecutorial misconduct.